



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

573519

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
08/573,519	12/15/95	YORIGUCHI	H 862,1336

24M1/0331  
FITZPATRICK CELLA HAPPER AND SCINTO  
277 PARK AVENUE  
NEW YORK NY 10172

JANKUS, A

2412

EXAMINER

ART UNIT PAPER NUMBER

03/51757 DATE MAILED:

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

☒ Responsive to communication(s) filed on 12/15/95

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 30 DAYS ~~thirty (30) days~~ ~~thirty (30) days~~ from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.  
Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☒ Claim(s) 1-124 are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☐ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☒ Notice of Informal Patent Application, PTO-152

--SEE OFFICE ACTION ON THE FOLLOWING PAGES--

Art Unit: 2412

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

Group I. Claims 1, 2, 110, and 111, drawn to a linked data display where the sizes of the data are determined according to a distance of the linkage, classified in Class 395, subclass 139.

Group II. Claims 1, 3, 5-35, and 112-116, drawn to time-series data accumulated time sequentially, classified in Class 395, subclass 963.

Group III. Claims 1, 4, 36-71, 117, 118, 123, 124, drawn to hierarchical data items managed hierarchically, classified in Class 395, subclass 356.

Group IV. Claims 72-76, 91-95, and 119-122, drawn to cutting out a designated area of an image, classified in Class 395, subclass 134.

Group V. Claims 77-90, and 96-109, drawn to editing the hierarchical order of images, classified in Class 395, subclass 333.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions of groups I-V are disclosed as different combinations which are not connected in design, operation or effect. These combinations are independent if it can be shown that (1) they are not disclosed as capable of use together, (2) they have different modes of operation, (3) they have different

Serial Number: 08/573,519

-3-

Art Unit: 2412

functions, or (4) they have different effects. (MPEP 806.04, MPEP 808.01). In the instant case the combinations have at least different functions, different modes of operation, and different effects.

Group I is used for scaling of node/link information. Group II is used for time-series information, for example calendaring. Group III is used for navigating hierarchical information, such as browsing. Group IV is used for cutting out images on a computer display. Group V is used for editing hierarchical information by altering its hierarchy.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in

Serial Number: 08/573,519


-4-

Art Unit: 2412

compliance with 37 C.F.R. § 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a diligently-filed petition under 37 C.F.R. § 1.48(b) and by the fee required under 37 C.F.R. § 1.17(h).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almis Jankus whose telephone number is (703) 305-9795.

AJ  
March 26, 1997

  
ALMIS R. JANKUS  
PRIMARY EXAMINER  
GROUP 2400